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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/494,714	01/31/2000	CHRISTOPHER H. GENLY	INTL-0341-US(P8391)	3825
7590 11/02/2005 TIMOTHY N TROP TROP PRUNER HU & MILES P C 8554 KATY FREEWAY STE 100 HOUSTON, TX 77024			EXAMINER ARMSTRONG, ANGELA A	
			ART UNIT 2654	PAPER NUMBER

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/494,714

Applicant(s)

GENLY, CHRISTOPHER H.

Examiner

Angela A. Armstrong

Art Unit

2654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 July 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,4-14,17-23 and 26-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4-14,17-23 and 26-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114 was filed in this application after a decision by the Board of Patent Appeals and Interferences, but before the filing of a Notice of Appeal to the Court of Appeals for the Federal Circuit or the commencement of a civil action. Since this application is eligible for continued examination under 37 CFR 1.114 and the fee set forth in 37 CFR 1.17(e) has been timely paid, the appeal has been withdrawn pursuant to 37 CFR 1.114 and prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on July 14, 2005 has been entered.

### ***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1, 12, 14, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schein et al (US Patent No. 6,075,575), hereinafter referred to as Schein, in view of Buil et al (US Patent No. 6,718,307), hereinafter referred to as Buil.

3. As per claims 1, 14, 23, Schein et al. disclose a system/method comprising: a speech recognizer that recognizes spoken requests for television programming information, (see col. 6, lines 12-16). Schein fail to explicitly teach a state machine having three states including a first state in which the state machine is not listening, a second state in which the state machine listens for only one query, and a third state in which it is listening to all queries, and using the state

Art Unit: 2654

machine to provide inputs to a speech recognizer. However, implementation of listening states in a speech recognizer was well known in the art.

In a similar field of endeavor, Buil discloses a speech input based input device which has a standby mode in which it can only recognize an activation instruction and an operational mode in which it can recognize commands for control of an apparatus, which reads on the three state listening machine since if the recognizer is off or the system is processing the user's input provides a state in which the machine is not listening, the standby mode to recognize an activation instruction provides a state in which the machine is listening for only one query, and the operational mode to recognize commands for controlling an apparatus provides a state in which the machine is listening to all queries (col. 4, lines 19-59). Buil specifically teaches the multiple mode/state of the system reduces the chance of sending unintentional commands to the apparatus (col. 5, lines 3-14).

Therefore, it would have been obvious to one of ordinary skill at the time of the invention to modify the system of Schein to implement a multi-mode recognition system, as taught by Buil, for the purpose of reducing the chance of sending unintentional commands to the apparatus, as suggested by Buil.

As per claim 12, Schein and Buil disclose everything as claimed in claim 1. Schein further disclose a system including a television coupled to a set top box and a remote control (see col. 3, lines 21-24).

4. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schein in view of Buil, as applied to claim 1 above, and further in view of well known prior art.

Art Unit: 2654

As per claim 11 Schein and Buil disclose everything as claimed in claim 1. Schein fails to explicitly teach a system including a processor coupled to the speaker and a microphone, the output of said speaker being subtracted from the output of said microphone to reduce interference. However, subtracting undesired signals from a speech signal input to a microphone was well known in the art.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to subtract the output of the speaker from the input of the microphone, as was well known in the art, for the purpose of improving the operation of the system by reducing interference, and thereby improving the performance and accuracy of the speech recognizer.

5. Claims 13, 22, and 30-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schein in view of Buil, as applied to claims 1, 14, and 23 above, in view of Tomitsuka et al (US Patent No. 5,566,271), hereinafter referred to as Tomitsuka, and further in view of Mueller et al (US Patent No. 6,009,398), hereinafter referred to as Mueller.

6. As per claims 31-33, Schein and Buil disclose everything as claimed in claims 1, 14, and 23. Additionally, Schein discloses an output device that generates response to spoken requests from television programming information, (see Fig. 4A).

Schein fail to explicitly teach a system including a module coupled to said recognizer to implement conversational speech. However, this feature was well known in the art.

In a similar field of endeavor, Tomitsuka disclose a system comprising a voice synthesis module for implementing conversational speech, (see Fig. 1, block 19).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a voice synthesis module in Schein, as taught by Tomitsuka, for the purpose of using a voice synthesis in conjunction with a voice recognition module to improve man-machine interaction, as suggested by Tomitsuka.

Additionally, Schein discloses a graphical user interface which provides information in a visual form about television programming and a voice user interface which responds to voice requests from the user..., (see Fig. 4A and col. 6, lines 36-42).

Schein does not specifically disclose the graphical user interface and voice user interface communicating such that the focus of one is communicated to the other. However this feature was well known.

In a similar field of endeavor, Mueller discloses a system, which allows for user and system interaction via speech, visual and auditory interfaces. Specifically, at col. 4, line 56 continuing to col. 5, line 29, Mueller teaches implementation of a context analyzer which coordinates the speech interactions with the visual interface to accommodate how the user interacts with system when the user provides input via speech or via a text based graphical user interface.

Therefore, it would have been obvious to one of ordinary skill at the time of the invention to implement interface focus communication as taught by Mueller, for the purpose of ensuring system performance when the user provides input via a visual or graphical user interface, as suggested by Mueller.

As per claims 13, 22, and 30, Schein, Buil, Tomitsuka, and Mueller disclose everything as claimed claims 1, 14 and 23. Schein fail to explicitly teach a system wherein the output

Art Unit: 2654

device is a speech synthesizer that generates responses. However, this feature was well known in the art.

Tomitsuka discloses a system wherein the output device is a speech synthesizer that generates responses (see Fig. 1, block 19).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a voice synthesis module as taught by Tomitsuka in the system of Schein, for the purpose of improving man-machine interaction, as suggested by Tomitsuka.

7. Claims 4-8, 17-19, and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schein in view of Buil, Tomitsuka and Mueller, as applied to claims 31-33 above, and further in view of Haddock (US Patent No. 5,265,014).

8. As per claims 5, 18, and 27, the combination of Schein, Buil, Tomitsuka, and Mueller teach everything as claimed in claims 31-33. However, the combination fails to disclose producing a select variable and a where variable from a query received from a user. However, this feature was well known in the art.

In a similar field of endeavor, Haddock teaches the process of how an ambiguous query is processed and syntactically analyzed to develop a representation of the syntactic structure. The system produces a syntactic structure based upon a question/sentence format to represent a set of questions, a set of nouns, a set of phrases, and a set of verbs. Additionally, at col. 6, lines 29-41 Haddock discloses that the system characterizes the query to find values of the variable that fulfills the condition or question within the query. In the example provided by Haddock, the

Art Unit: 2654

query produced the syntactic structure (WHICH X s.t. (PAINT \*REF(he) X)), and the request of the query is to find any values of X that meet the condition of (PAINT \*REF(he) X). The condition (PAINT REF(he) X), is comprised of a semantic predicate PAINT and two variables, the painter (REF(he)) and the painting (X), which reads on “produces a select variable and a where variable from a query received from a user.”

Therefore, it would have been obvious to one of ordinary skill at the time of the invention to modify the system of Schein to process the query into a syntactic structure with different variables, as taught by Haddock, for the purpose of characterizing the query to find values of the variable that fulfills the condition or question within the query.

As per claims 4, 6, 17, 19, 26, and 28, the combination of Schein, Buil, Tomitsuka, and Mueller teach everything as claimed in claims 31-33. However, the combination fails to teach the implementation of historical information to modify the meaning from the users input query. However, this feature was well known in the art.

At col. 6, lines 48-60, Haddock discloses that in the example query, the meaning of the pronoun “he” is ambiguous and in order to resolve the ambiguity for further processing, the system uses the history of the dialog of a previous query to determine the reference to the “he”, in order to form the completed query of (WHICH X s.t. (PAINT DEGAS X)), wherein the value of the \*REF(he) is obtained from a previous query.

Therefore, it would have been obvious to one of ordinary skill at the time of the invention to modify the system of Schein to implement historical information to modify the meaning of the input of the user’s input query, as taught by Haddock, for the purpose of resolving the ambiguity in the input query.



Art Unit: 2654

As per claim 7, Schein, Buil, Tomitsuka, Mueller and Haddock teach everything as claimed in claim 6. However, Schein fails to teach determining whether the query includes both first and second type of variable and if so, not using the historical information to modify the user's input query.

At col. 6, lines 39-59, Haddock discloses the functionality of the system for determining the meaning of an ambiguous query, in which the query representation contains the pronoun "he". The query is ambiguous because "it is not yet known who the pronoun "he" refers to because that information lies outside the query" (col. 6, lines 45-47). In this instance the system uses the history information to determine to whom "he" refers. However, if the utterance contains both of the attributes of the utterance, there is no ambiguous query and there is no need to use the history vector, as indicated in col. 5, lines 33-42, in which the query provided includes the names of the specific painter of whom a user wishes to retrieve information (query 1 and query 2), which reads on "determining whether the query includes both first and second type of variable and if so, not using the historical information to alter the meaning derived from the speech recognizer."

Therefore, it would have been obvious to one of ordinary skill at the time of the invention to modify the system of Schein, to implement determining whether the query includes both a first and a second type of variable, for the purpose of reducing unnecessary processing if the meaning of the query can be ascertained.

As per claim 8, Schein, Buil, Tomitsuka, Mueller and Haddock teach everything as claimed in claim 6. However, Schein fails to teach determining whether the query includes only

Art Unit: 2654

one of two variable types, and if so, using the historical information to modify the user's input query.

At col. 6, lines 39-59, Haddock discloses the functionality of the system for determining the meaning of an ambiguous query, in which the query representation contains the pronoun "he". The query is ambiguous because "it is not yet known who the pronoun "he" refers to because that information lies outside the query" (col. 6, lines 45-47). In this instance the system uses the history information to determine to whom "he" refers. However, if the utterance contains both of the attributes of the utterance, there is no ambiguous query and there is no need to use the history vector, as indicated in col. 5, lines 33-42, in which the query provided includes the names of the specific painter of whom a user wishes to retrieve information (query 1 and query 2). At col. 6, line 13, Haddock specifically states that query 2 is ambiguous because of the pronoun "he", and thus the system must resolve the ambiguity of the query via the history information. At col. 7, lines 10-35, Haddock refers to the ambiguous fourth query from col. 5, lines 42-44, in which "these" is used in the query. The system uses history information to determine the reference of the set or subset of paintings "these" actually refers. Haddock's determination of needing to use the history dialog to resolve an ambiguous query in one instance or not needing to use a history dialog in another instance would suggest and/or motivate one of ordinary skill in the art to specifically determine if an utterance includes all necessary variables.

Additionally, Haddock discloses in order to form the completed query of (WHICH X s.t. (PAINT DEGAS X)), the value of the \*REF (he) is obtained from a previous query, which reads on "merge the variable with the historical information to derive a meaning from the request."

Art Unit: 2654

Therefore, it would have been obvious to one of ordinary skill at the time of the invention to modify the system of Schein to implement determining if an input query includes only one of a type of variable, and if so using the history information to form a completed query, as taught by Haddock, for the purpose of reducing ambiguity in the query, as suggested by Haddock.

9. Claims 9-10, 20, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schein in view of Buil, Tomitsuka and Mueller, as applied to claims 31-33 above, and further in view of Houser et al (US Patent No. 5,774,859).

10. As per claims 9-10, 20, and 29, the combination of Schein, Buil, Tomitsuka, and Mueller teaches everything as claimed in claims 31-33. However, the combination does not form time attributes in a request. However, this feature was well known.

In a similar field of endeavor, Houser teaches an information system with a speech interface which controls a device such as a television and access to broadcast information. Specifically, at col. 30, lines 54-64 and col. 31, lines 39-43, Houser implements processing of search requests for television broadcast information based on time ranges ("only within 4 hours" or "only after eleven AM"). At col. 30, lines 56-58, Houser teaches that implementation of time information commands will limit the search to programming information within an identified range.

Therefore, it would have been obvious to one of ordinary skill at the time of the invention to modify the system of Schein and implement time command information as taught by Houser,

Art Unit: 2654

for the purpose of limiting the search to programming information within an identified range, and therefore decrease system response time and enhance system performance.

11. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schein in view of Buil, Tomitsuka and Mueller, as applied to claim 32 above, and further in view of well known prior art.

12. As per claim 21, Schein, Buil, Tomitsuka, and Mueller disclose everything as claimed in claim 32. Schein fails to explicitly teach a system including a processor coupled to the speaker and a microphone, the output of said speaker being subtracted from the output of said microphone to reduce interference. However, subtracting undesired signals from a speech signal input to a microphone was well known in the art.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to subtract the output of the speaker from the input of the microphone, as was well known in the art, for the purpose of improving the operation of the system by reducing interference, and thereby improving the performance and accuracy of the speech recognizer.

### ***Conclusion***

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Miyazawa et al (US Patent No. 5,983,186) discloses a voice-activated interactive speech recognition device and method.

Art Unit: 2654

Erell (US Patent No. 6,591,237) discloses a keyword recognition system and method.

Brown et al (US Patent No. 6,574,601) discloses an acoustic speech recognizer system and method.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela A. Armstrong whose telephone number is 571-272-7598. The examiner can normally be reached on Monday-Thursday 11:30-8:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 571-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Angela A Armstrong  
Primary Examiner  
Art Unit 2654

AAA  
October 28, 2005

*Angela Armstrong*